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REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

Claims 1 and 9 are amended.

Claims 4, 10, and 18 have been canceled, without prejudice or disclaimer.

The rejection of claims 1-18 under 35 USC §102(b) in view of U.S. Patent Publication No. 2002/0091763 (Shah) is respectfully traversed on the grounds that the Shah publication fails to disclose or suggest the following features of the claimed invention:

1. A method of controlling a user application program that "hooks" the application program in order to modify the readout function, as is now recited in claim 1, by changing pointers in the import section of the user application program into pointers for an I/O function that carries out the following steps:
   a. determining whether a file is locally stored on the client computer;
   b. transferring data to the user application program the file is locally stored; and
   c. downloading the data from a server if the file is not locally stored.

2. A method of controlling a user application program that "hooks" the application program in order to modify a file-writing function, as is now recited in claim 9, by changing pointers in the import section of the user application program into pointers for an I/O function that carries out the following steps:
   a. determining whether a file needs to be uploaded to a server;
   b. uploading the file if uploading is necessary;
   c. writing the file in the client computer if uploading is not necessary.

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Features 1 and 2 both relate to the **hooking** feature described on pages 6 and 7 of the original specification. Basically, the hooking feature changes the pointers that an application program normally uses to call read or write functions of the operating system so that they instead point to a modified read or write function. The modified read or write functions add the step of down or uploading files from a server if the files are not locally stored or if uploading is necessary.

The Shah publication teaches an "application streaming file system 803" that is similar to the online streaming library described in the specification of the present application in that it also checks for locally stored files, and downloads or uploads files to or from a server as necessary. In addition, the Shah publication teaches caching of files in a manner similar to that of the present invention. However, the Shah patent does not teach *modification of application programs by adding pointers to the application streaming file system, as is now claimed.* The claimed invention not only enables data to be obtained from, and uploaded to, an online gaming program in a most efficient manner (only downloading or uploading data as necessary, and caching data not immediately required), but it enables pre-packaged software to easily be modified to carry out the online data exchange functions.

According to page 4 of the Official Action, discussing original claim 4, paragraphs [0091] and [0171] teach the claimed 'hooking function," which refers to the pointer substitution now recited in claim 1. However, the "spoofer" disclosed in these paragraphs does not correspond to the claimed application program modification by pointer substitution. Instead, these paragraphs refer to a spoofing database that substitutes local addresses for addresses of files stored on the server. This is not the same as pointing all read calls to a streaming library in order to check whether the file is locally stored. In order to implement the spoofer of Shah, it is necessary to know which files are stored on the server and which are not. Such knowledge is not required by claimed method.
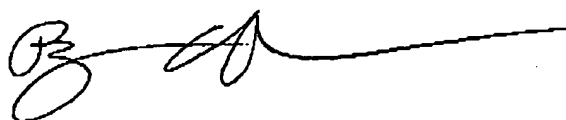
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The Shah publication does disclose conversion of conventional applications to enable streamed delivery and execution. However, paragraphs [0285] *et seq.* of the Shah publication describe a file modification process that involves installation monitoring, invoking the installed application to obtain sequences of frequently accessed file blocks, and re-sequencing to optimize the streaming process. Furthermore, Shah's installer may even request modification of the platform itself (paragraph [0301]). The claimed invention does not require any such modification of the application program or platform. Instead, it simply re-directs the conventional application program to the proxy read-out and file-writing functions. This is much simpler than the system described in the Shah publication.

Because the Shah publication teaches application program modification at the "device" level rather than the simple pointer modification of the claimed invention, it is respectfully submitted that the Shah publication does not anticipate the claimed invention, and therefore withdrawal of the rejection of claims 1-9 under 35 USC §102(b) is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, withdrawal of the rejections and expedited passage of the application to issue is requested.

Respectfully submitted,

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